



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

1 Jasmin Briannah Gayer McCray-Guardianship Case No. 00CEPR10317

Petitioner Gayer, Melissa (Pro Per – Mother – Petitioner)

Guardian Gayer (Rouse), Debra A. (Pro Per – Maternal Grandmother – Guardian)

Petition for Termination of Guardianship

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> This petition was originally filed ex parte; however, the Court set the matter for hearing, with notice to be provided by Petitioner. The Order setting hearing was mailed to Ms. Gayer on 2/26/16. 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §1460(b)(5) on: - Jasmin McCray (Minor) - Debra Gayer (Rouse) (Guardian) - Anton McCray (Father) - Paternal Grandfather - Paternal Grandmother - Maternal Grandfather - Siblings age 12 and older	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			x
	Aff.Mail			x
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3/17/16	
			Updates:	
			Recommendation:	
			File 1- McCray	

3A Anthony Barrera and Gabriel Benito Barrera (Guardianship)
Case No. 03CEPR01548

Petitioner Kenda Bouhaben (pro per)
Attorney Zepure "Zeppy" Attashian (for Ramona Gonzales – Objector/Guardian of Anthony)

Petition for Termination of Guardianship

		KENDA BOUHABEN , mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		RAMONA GONZALES , maternal grandmother, was appointed guardian of Anthony Barrera on 04/05/04.	This petition pertains to ANTHONY only.
Cont. from 012516, 021816		Please see petition for details.	Continued from 2/18/16 Minute Order states Counsel informs the Court that they have come to an agreement. The agreement needs to be in writing and the Court will consider it. As of 3/18/16 an agreement has not been filed.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Objection to Termination of Guardianship filed 12/31/15 by Ramona Gonzales	<ol style="list-style-type: none"> Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for Tony Gutierrez (maternal grandfather).
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Court Investigator filed a report on 02/05/16.	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	DSS Social Worker filed a report on 02/16/16	
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: JF/KT
			Reviewed on: 3/18/16
			Updates:
			Recommendation:
			File 3A- Berrera & Barrera

3A

3B

Anthony Berrera & Gabriel Benito Barrera (Guardianship)**Case No. 03CEPR01548**

Attorney Zepure "Zeppy" Attashian (for Petitioner Ramona Gonzales)
 Objector Kenda Bouhaben (pro per)

Petition for Appointment of Guardian of the Person

		<u>NO TEMPORARY IN PLACE;</u>	NEEDS/PROBLEMS/COMMENTS:
		<u>TEMPORARY DENIED ON 01/25/16</u>	
		RAMONA GONZALES , maternal grandmother, is Petitioner.	This Petition is regarding GABRIEL only. Petitioner was appointed Guardian of Anthony on 04/05/04.
		Please see petition for details.	
Cont. from 021816		Answer to Petition for Appointment of Temporary Guardian of the Person filed 01/04/16	<u>Continued from 2/18/16</u> Minute Order states Counsel informs the Court that they have come to an agreement. The agreement needs to be in writing and the Court will consider it. As of 3/18/16 an agreement has not been filed.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		<ol style="list-style-type: none"> Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> or <i>Consent & Waiver of Notice</i> or <i>Declaration of Due Diligence</i> for: <ol style="list-style-type: none"> Kenda Bouhaben – <i>personal service needed</i> Tony Gutierrez – <i>service by mail ok</i> Daniel Barrera, Jr., Edward Barrera, and Sandra Barrera (if age 12 and over) – <i>service by mail ok</i> Order is incomplete. Need new order.
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail	x	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.	w/	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: JF/KT
			Reviewed on: 3/18/16
			Updates:
			Recommendation:
			File 3B- Barrera

3B

Probate Status Hearing Re: Filing of the Fourth Account

		COMERCIA BANK & TRUST, N.A. is Trustee.	NEEDS/PROBLEMS/COMMENTS:
		Trustee's Third Account and Report with an account period ending 1/31/15 was approved on 3/19/15.	1. Need forth account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from		Minute order dated 3/19/15 set this status hearing for the filing of the Fourth Account.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA	Reviewed on: 3/18/16	
<input type="checkbox"/>	Citation	Updates:	
<input type="checkbox"/>	FTB Notice	Recommendation:	
		File 5- Whitmire	

Probate Status Hearing RE: Filing First/Final Account

DOD: 3/4/14	MARIA GUADALUPE WARREN aka	NEEDS/PROBLEMS/COMMENTS:
	MARY GUADALUPE LEWIS , Daughter, was appointed Executor with Full IAEA without bond on 9/16/14.	
		1. Need petition for final distribution. See Probate Code §12200 or current written status report per Local Rule 7.5.
Cont. from 111915	At the hearing on 9/16/14, the Court set this status hearing for the filing of the first account or petition for final distribution.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	Final I&A filed 3/26/15 indicates \$986.60 cash plus three parcels of real property and minimal furniture/furnishings for a total value of \$201,086.60.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Status Report filed 11/18/15 states the personal representative was required to commence two separate actions for unlawful detainer of two parcels to evict the occupants of the property. Such occupants have been evicted and possession has been restored to the personal representative.	
Letters		
Duties/Supp		
Objections		
Video Receipt	Among the assets of the estate is certain real property in Hidalgo County, Texas. The personal representative is in the process of engaging local counsel to assist with administration of the estate in Texas with respect to the Texas property. There are not sufficient liquid assets subject to administration in California to pay all expenses of administration, so the Texas property will need to be sold to pay such expenses.	
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 3/17/16
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice	The personal representative respectfully requests continuance of this status hearing for four (4) months to allow time for the Texas real property to be administered and for the personal representative to file a petition for final distribution.	File 7 - Reyes

Attorney Darlene Azevedo Kelly (for Brian J. Griffin – Executor)

Probate Status Hearing Re: First Account and/or Petition for Final Distribution

DOD: 05/25/14		BRIAN J. GRIFFIN , nephew, was appointed Executor without bond and with full IAEA on 10/23/14.	NEEDS/PROBLEMS/COMMENTS:
		Minute Order from hearing on 10/23/14 set the matter for a status hearing regarding filing of the First Account and/or Petition for Final Distribution on 01/21/16.	1. Need First/Final Account and Petition for Final Distribution.
Cont. from 012116			
	Aff.Sub.Wit.	Inventory & Appraisal filed 03/18/15 \$113,000.00	
✓	Verified		
	Inventory	Declaration of Darlene Azevedo Kelly in Support of Request for Continuance of Status Hearing Regarding Filing of the First Account and/or Petition for Final Distribution filed 3/16/2017 states:	
	PTC		
	Not.Cred.	<ul style="list-style-type: none"> The attorney previously assigned to prepare the final account [Philip Martinez] has left the firm without completing the documents; She has been working on the first and final account and petition for distribution since it was assigned to her 2 weeks ago; She has received from the Executor much of the information necessary to complete the account and has completed a draft; She has been delayed in completing the document because she has conducted a search for two of the beneficiaries who have not been located, and because the Executor resides in Aromas, it is more difficult and time consuming for her to communicate and exchange documents with him; On 3/15/2016, she learned that an immediate family member had died, which necessitates her being out of state for at least the next week, thus delaying her ability to complete the document; Accordingly, she requests the status hearing be continued for 30 days. 	
	Notice of Hrg		
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
✓	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: JF / LEG
Reviewed on: 3/18/16
Updates:
Recommendation:
File 8- Griffin

Probate Status Hearing

RE: Filing of the Inventory and Appraisal

DOD: 7/15/15			GIULIANO DICICCO was appointed Executor with Limited IAEA without bond on 10/29/15. At the hearing on 10/29/15, the Court set this status hearing for the filing of the Inventory and Appraisal. A partial I&A was filed 2/22/16. A Final I&A has not yet been filed.	NEEDS/PROBLEMS/COMMENTS: 1. Need Final I&A per Probate Code §8800 or written status report per Local Rule 7.5.
	Aff.Sub.Wit.			
	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: skC				
Reviewed on: 3/18/16				
Updates:				
Recommendation:				
File 11- Stamoulis				

Attorney Burnside, Leigh W. (for Petitioners DeeAnn Doyle Summers and John Doyle)
 Attorney Jaech, Jeffrey A. (for Respondent Christina Fishinghawk)

Order to Show Cause RE: Failure to File an Accounting as to Richard Doyle and Thomas Borchardt

	DEEANN DOYLE SUMMMERS and JOHN DOYLE, Daughter and Son, filed Petition to Compel Attorney to Account and Report; for Immediate Suspension of Authority to Act; for Revocation of Power of Attorney; and for Surcharge on 10/27/15.	NEEDS/PROBLEMS/COMMENTS: Note: Page B is Ms. Fishinghawk's Account and Report of Attorney In Fact. 1. Need account or written status report per Local Rule 7.5 from Richard Doyle and Thomas Borchardt.
	CHRISTINA FISHINGHAWK, Daughter, filed Response on 11/30/15.	
Aff.Sub.Wit.	Minute Order 12/10/15 states parties agree to an accounting that goes back to 2009. No appearance is necessary at the status hearing if the petition is filed at least two court days prior. See also Order Granting Petition filed 12/16/15. The order requires account from Ms. Fishinghawk, Richard Doyle, and Thomas Borchardt. Status Report filed 2/1/16 by Attorney Burnside (attorney for Deeann Doyle Summers and John Doyle) states to date she has not received an account and report from Respondent. She did receive an informal account of Richard Doyle and Thomas Borchardt's administration of the A. James Doyle, Jr., Trust, but no account or report of their activities as Mr. Doyle's attorneys-in-fact.	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	At the hearing on 2/4/16, the Court issued this Order to Show Cause to Richard Doyle and Thomas Borchardt as to why they should not be sanctioned and any other appropriate orders made for their failure to file an accounting by 2/4/16. Richard Doyle and Thomas Borchardt are both ordered to be personally present in court or appear via CourtCall on 3/24/16.	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA	Reviewed by: skc Reviewed on: 3/17/16 Updates: Recommendation: File 12A- Doyle	
Citation		
FTB Notice		

Attorney

Jaech, Jeffrey A. (for Christina Fishinghawk)

**Account and Report of Attorney-in-Fact and Petition for Approval of Attorney-in-Fact's
Acts, and for Attorneys' Fees of Attorney-in-Fact**

		<p>CHRISTINA FISHINGHAWK, Respondent, filed this accounting in response to a petition by DEEANN DOYLE SUMMERS and JOHN DOYLE. (See Minute Order 12/10/15.)</p> <p>Account period: 7/17/13 – 12/10/15 Accounting: \$716,741.76 Beginning POH: \$186,562.35 Ending POH: \$ 507.14</p> <p>Respondent states she was appointed as attorney in fact under the General Statutory Durable Power of Attorney executed by A. James Doyle, Jr., (the Principal) on 11/29/12. See Exhibit A.</p> <p>About 5/14/14, A. James Doyle, Jr., executed a new General Durable Power of Attorney appointing Respondent RICHARD DOYLE and THOMAS BORCHARDT as co-attorneys-in-fact. See Exhibit B.</p> <p>In 2004, the Principal had executed a Durable Power of Attorney naming Petitioner DEEANN DOYLE SUMMERS as his agent, and this power of attorney was presumable in effect until the Principal appointed Respondent in 2012.</p> <p>DEEANN DOYLE SUMMERS and JOHN ("JACK") DOYLE, Respondent's siblings, filed a Petition to Compel Attorney-in-Fact to Account and Report; for Immediate Suspension of Authority to Act; for Revocation of Power of Attorney; and for Surcharge on or about 10/27/15. Under this Court's order of 12/16/15, Respondent's authority under the powers of attorney was suspended and Respondent was ordered to file this account.</p> <p align="center"><u>SEE ADDITIONAL PAGES</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need order.</p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
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✓	Notice of Hrg			
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	Letters			
	Duties/Supp			
	Objections			
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	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 3/17/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12B- Doyle</p>		

Respondent states: The Fresno County Public Guardian was appointed as Temporary Conservator of the estate of the Principal on 10/30/15 and as the general conservator of the person and estate of the Principal on 12/16/15.

Respondent was ordered to account and report her activities as agent and co-attorney-in-fact commencing 1/1/09 through 12/16/15, including but not limited to all monies held in various Bank of America accounts:

- a. Checking xx3941
- b. Money Market Savings xx3966
- c. Money Market Savings xx4334
- d. Money Market Savings xx9761
- e. Checking xx5779 (trust account)

However, Respondent was not appointed as the attorney-in-fact until 11/29/12 and did not start acting as attorney in fact until approx. 7/17/13, after the Principal aided by **RICHARD DOYLE** opened the above-referenced accounts. Therefore, this accounting begins on 7/17/13. Note: One of the accounts was a trust account and so is not included in this accounting.

Respondent states she had authority to transact business in the Principal's accounts, but did not have exclusive authority or access. The Principal sometimes made transactions on his own or with assistance from someone else, usually without Respondent's contemporaneous knowledge. For example on 1/8/15, Respondent is informed and believes that **JOHN DOYLE** accompanied the Principal to the bank to effect transfers totaling more than \$332,000 from three accounts to a different account (xx9761) of the Principal.

Although Respondent lacked exclusive authority over and access, she nevertheless in this accounting has accounted for all transactions (regardless of whether she was involved) of the following accounts from 7/17/13 -12/16/15:

- a. Checking xx3941, Money Market Savings xx3966, and Money Market Savings xx4334 titled in the names of the Principal and the Respondent, and opened 7/17/13 by the Principal assisted by his brother **RICHARD DOYLE**
- b. Savings xx9761, titled in the Principal's name, opened 1/8/15 on the initiate of **JOHN DOYLE**. Later, Respondent's name was added as attorney-in-fact.
- c. Checking xx3624, titled in the names of **THOMAS BORCHARDT, CPA**, and Respondent in trust for the Principal, opened on 1/12/15.

All bank statements were regularly given to Petitioner DeeAnn Summers. January 2015 and after were delivered by Respondent to Principal's accountant, **THOMAS BORCHARDT, CPA**, and on information and believe, copies were provided to Ms. Summers.

SEE ADDITIONAL PAGES

Sale of residence: Respondent states about March 2014, the Principal hired real estate agent Alexis Savaros to sell his house on Robinwood Lane in Fresno. Respondent as attorney-in-fact oversaw the sale of the home. Net proceeds of \$120,600.25 were deposited into the trust account xx5779 on 4/18/14.

Compensation and reimbursements paid to Respondent: Respondent kept meticulous records of the services she performed for her father as a caregiver and attorney-in-fact for 2009-2015 including mileage and expenses. See petition for details. On 10/23/13, the Principal and Respondent entered into a "Personal Care Contract" under which Respondent was to receive \$20/hr plus reimbursement for expenses for her services to the Principal. On information and belief, the Principal paid **DEEANN SUMMERS** \$1,460 for the months of May through October 2012 for helping him pay bills. She provided no other caregiving services.

About 5/30/14, the Principal paid Respondent \$26,167 and about 7/28/14, reimbursed Respondent \$10,409 for October 2009 through May 2014.

About 11/17/14, the Principal paid Respondent \$73,895 (recomputed to reverse all commuting mileage and babysitting expenses) for her caregiver services, and on 12/22/14 an additional \$3,207.98.

The gross amount paid to Respondent was \$113,678.98. On information and belief, after Respondent was paid the \$73,895 for her services, TOM BORCHARDT and RICHARD DOYLE paid from the Principal's trust \$61,924 each to Petitioners DEEANN SUMMERS and JOHN DOYLE, even though they had provided no services to the Principal.

About 2/20/15, Respondent returned \$33,641 to the Principal's account, so her net compensation and reimbursements was \$80,037.98, itemized at Exhibit G.

Sale of car: The Principal sold his 2003 Honda Accord Coupe "as is" to Respondent's husband for \$4,000 on 11/9/13, \$1,000 down and \$100/month for 36 months. The car had body damage.

Cashier's checks: After learning that Petitioner DeeAnn Summers was visiting the Principal at Orchard Park with a notary public on 1/3/15 and on the advice of the Principal's attorney Philip Flanagan, who was concerned that Ms. Summers was attempting to take control of the Principal's accounts, Respondent purchased cashier's checks to substantially deplete accounts #3996, #3941, and #4334. The checks were deposited three days later in the same accounts from which they were purchased. Two days later, these accounts were substantially depleted by transfers assisted by Petitioner John Doyle to account #9761.

Request for Respondent's Attorneys' Fees: Respondent has retained Baker Manock & Jensen to assist her in the preparation of this account and report. She is entitled to reimbursement of her attorneys' fees under Probate Code §4204.

SEE ADDITIONAL PAGES

12B The General Durable Power of Attorney of A. James Doyle, Jr.

Case No. 15CEPR01071

Page 4

Respondent requests this Court to order that:

1. The account and report of Respondent as attorney-in-fact be settled, allowed, and approved as filed;
2. All acts and proceedings of Respondent as attorney-in-fact be confirmed and approved;
3. The conservator of the estate pay Baker Manock & Jensen PC attorneys' fees for assisting Respondent in the preparation and presentation of this account and report, in amount to be set by this Court upon proof; and
4. For further orders as the Court deems necessary.

Declaration of Jeffrey A. Jaech in Support of Attorneys' Fees filed 3/4/16 requests fees of \$18,363.00 for 33.6 attorney hours @ \$395-415/hr and 30.3 paralegal hours @ \$150/hr, as itemized at Exhibit A, and costs of \$675.25, consisting of \$435.00 filing fee and \$675.25 in copies. Declaration states Respondent emailed and faxed all statements and documentation, and attorneys had to print documents to review for accounting.

Examiner's Note: Pursuant to Local Rule 7.17, the Court considers photocopy expenses to be a cost of doing business and not reimbursable.

Petition for Appointment of Probate Conservator

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: Court Investigator advised rights on 01/22/16. Voting rights affected, need Minute Order. <u>Minute Order 2/11/16:</u> Examiner notes provided in open court. As of 3/18/16, nothing further has been filed. The following issues remain noted: 1. Need Citation and proof of personal service of the Citation with a copy of the Petition for Conservatorship on the proposed Conservatee at least 15 days before the hearing per Probate Code §1824. 2. The Petition does not appear to list all relatives within the second degree. All grandparents should be listed, if a person entitled to notice is deceased, the deceased person's name and date of death should be indicated. (If there are additional relatives, need notice per Probate Code §1822.) 3. Need proof of service at least 30 days before the hearing of <i>Notice of Hearing</i> with a copy of the Petition on CVRC per Probate Code §1822(e). 4. Need proof of viewing conservatorship video.	
Cont. from 021116				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			x
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			x
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation	x		
	FTB Notice			
			Reviewed by: JF/skc	
			Reviewed on: 3/18/16	
			Updates:	
			Recommendation:	
			File 13- Rogers	

Attorney Jeffrey B. Pape (for Petitioner Darle Stone)

Petition for Probate of Will and for Letters Testamentary. Authorization to Administer under the Independent Administration of Estates Act

DOD: 9/17/2015		<p>LETTERS OF SPECIAL ADMINISTRATION GRANTED EX PARTE AND ISSUED TO PETITIONER EXPIRE 2/18/2016; extended to 3/24/2016</p> <p>DARLE STONE, daughter and named Executor without bond, is Petitioner.</p> <p>Full IAEA: O.K.</p> <p>Will Dated: 8/4/2005</p> <p>Residence: Fresno</p> <p>Publication: Business Journal</p> <p><u>Estimated value of the Estate:</u> Personal property - \$180,000.00 Annual income P/P - \$ 20,000.00 Total - \$200,000.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Special Administration was requested for the purpose of empowering Petitioner to immediately take charge of protecting the estate's security interest in encumbered real property, which secures estate assets (promissory notes) by authorizing Petitioner to bid at foreclosure sale to prevent foreclosure of the debtor's real property valued at ~\$1,000,000.00. Letters of Special Administration grant Petitioner power to take possession of estate personal property, maintain legal proceedings, to borrow money from Petitioner as Trustee to bid at the foreclosure sale, and to purchase secured debts prior to foreclosure sale of the real property.</p> <p>Note: Court will set Status Hearings as follows:</p> <ul style="list-style-type: none"> Wednesday, August 24, 2016 at 9:00 a.m. in Dept. 303 for the filing of the final inventory and appraisal; and Wednesday, May 24, 2017 at 9:00 a.m. in Dept. 303 for the filing of the first account and/or petition for final distribution. <p>Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.</p>
Cont. from 021816			
<input type="checkbox"/> Aff.Sub.Wit.	S/P		
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	W/		
<input checked="" type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			

Petitioner Howell, Calvin John, Sr. (Pro Per – Father – Petitioner)

Petitioner Howell, Alvena (Pro Per – Mother – Petitioner)

Petition for Appointment of Probate Conservator of the Person

See petition for details.			NEEDS/PROBLEMS/COMMENTS:
			<u>Court Investigator advised rights on 2/9/16</u>
			Continued from 2/18/16. Nothing further has been filed. The following issues remain noted:
			1. The petition is blank at #3g re whether conservatorship has been filed in another jurisdiction.
			2. The petition is blank at #4a re whether the proposed Conservatee is a patient in or on leave of absence from a state institution.
			3. The petition at #11 lists Petitioners (parents) as Jalexis' only relatives. Need complete list of all relatives within the second degree, which includes siblings and grandparents. If deceased, please so state and provide dates of death per Local Rule 7.1.1.D.
			4. Need Citation.
			5. Need proof of personal service of Citation with a copy of the petition at least 15 days prior to the hearing per Probate Code §1824 on Proposed Conservatee Jalexis Howell.
			<u>SEE ADDITIONAL PAGES</u>
			Reviewed by: skc
			Reviewed on: 3/17/16
			Updates:
			Recommendation:
			File 15- Howell

Cont. from 021816		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	X
	Aff.Mail	X
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	X
✓	Conf. Screen	
✓	Letters	
✓	Duties/Supp	
	Objections	
	Video Receipt	X
✓	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	X
	FTB Notice	

Page 2 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

6. Need Notice of Hearing.
7. Need proof of service of Notice of Hearing with a copy of the petition at least 30 days prior to the hearing per Probate Code §1822(e) on CVRC.
8. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1822 on all relatives within the second degree (per #3 above).
9. The petition does not request medical consent powers under Probate Code §2355; however, the Court Investigator's report indicates that Petitioners wish to request these powers. The Court may require amended petition and/or additional service to ensure that this request is included with the service on the proposed Conservatee and all relatives.
10. If medical consent powers under Probate Code §2355 are requested, need Capacity Declaration (GC-335) pursuant to Probate Code §§ 1881, 1890.
11. Need video receipt per Local Rule 7.15.8.A.

Petitioner

Pineda, Raquel (Pro Per – Daughter – Petitioner)

Attorney

Horton, Lisa (Court-appointed attorney for Proposed Conservatee)

Petition for Appointment of Probate Conservator of the Person and Estate

			TEMP EXPIRES 3/24/16 (<u>Note</u> : Bond was never filed; therefore, Temp Letters have not issued.)	NEEDS/PROBLEMS/COMMENTS:
			See petition for details.	<p><u>Court Investigator advised rights on 2/9/16.</u></p> <p><u>Minute Order 2/18/16</u>: The Court orders Temporary Conservatorship to Raquel Pineda over her mother without 2590 powers, capacity or medical decision powers. Bond required in the amount of \$23,000. Examiner notes given.</p> <p>The following issues remain noted regarding this petition:</p> <p style="text-align: center;"><u>SEE PAGE 2.</u></p>
Cont. from 021816				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	w/o?		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	w		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
✓	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3/17/16	
			Updates:	
			Recommendation:	
			File 16- Pineda	

Page 2

NEEDS/PROBLEMS/COMMENTS:

Note: Petitioner's declaration filed 3/1/16 states she is not seeking 2590 or specific additional powers under §§ 1873, 1901, as initially indicated in the petition.

1. Need Capacity Declaration (GC-335) in support of medical consent and dementia powers.
2. Notice of Hearing filed 3/1/16 does not indicate that a copy of the petition was included with the service per Probate Code §1822 on the relatives listed, and notice was not given to minor relatives per Cal. Rule of Court 7.51. The Court may require clarification as to whether this was a clerical error in checking the box at #5 if a copy was actually included, or may require further service on all relatives.
3. Need bond of \$23,000.00, based on the conservatee's income only, with cost of recovery pursuant to Probate Code §2320(c)(4) and Cal. Rule of Court 7.207. (Note: If there is actually \$100,000 in personal property, bond should be \$132,793.76; however, it appears this was a clerical error and this amount may refer to real property.)

Note: If granted, the Court will set status hearings as follows:

- Thursday, May 12, 2016 for the filing of bond
- Thursday, July 21, 2016 for the filing of the Inventory and Appraisal
- Thursday, May 25, 2017 for the filing of the first account

Petitioner: Sokunthim Ngeth (pro per)

Petition to Establish Fact of Birth

		SOKUNTHIM NGETH , father, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner states MILINEAM NGETH was born in Cambodia on September 8, 1996 in the county of Sangkrat Prek Pra, Mean Chey District.	Continued from 2/11/16. Minute order indicates examiner notes were provided in open court.
Cont. from 021116			
	Aff.Sub.Wit.		<p>Health and Safety Code §103450 (a) states a verified petition may be filed by any beneficially interested person with the clerk of the superior court in and for (1) the county in which the birth, death, or marriage is alleged to have occurred, (2) the county of residence of the person whose birth or marriage it is sought to establish, or (3) the county in which the person was domiciled at the date of death for an order to judicially establish the fact of, and the time and place of, a birth, death, or marriage that is not registered or for which a certified copy is not obtainable.</p> <p>It appears that the petitioner is not trying to establish the fact of birth that was not registered or for which a certified copy is not obtainable but is attempting to correct the date of birth on the documents once Milineam Mgeth entered the United States. The purpose of a petition to establish the fact of birth under the Health and Safety Code is to establish a record that does not exist or for which a certified copy is not available.</p>
✓	Verified	Included in the Declaration in Support of Petition to Establish the Fact of Birth includes copies of the following documents:	
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	1. Cambodian birth certificate of MILINEAM NEGTH showing his birth date as September 8, 1996.	
	Aff.Mail		
	Aff.Pub.	2. Certificate of United States Citizenship for MILINEAM NEGTH showing his birth date as September 8, 1999.	
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen	3. Dissolution Judgment of Sokunthim Ngeth and Sreynoun Ly listing a child of the marriage MILINEAM NEGTH with a date of birth of September 8, 1999.	
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202	The proposed order states that Milineam Ngeth was born in Cambodia and his certificate of birth shows he was born on September 8, 1996, but once he entered the United States his birth date is shown as September 8, 1999.	
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 3/17/16
			Updates:
			Recommendation:
			File 17- Ngeth

Petition to Determine Succession to Real and Personal Property

DOD: 3/20/2015		<p>ANN E. WILLIAMS (formerly known as <i>Ann Elizabeth Kennedy</i> in decedent's Will), daughter, is petitioner</p> <p>40 days since DOD</p> <p>No other proceedings</p> <p>I & A - \$136,068.67</p> <p>Will dated 4/13/1959 – devises property to petitioner as sole beneficiary due to death of predeceased spouse</p> <p>Petitioner requests court determination that decedent's 100% interest in real property located at 2514 E. Michigan Avenue, Fresno CA and personal property consisting of 839.374 shares of Putnam Income Fund pass to Petitioner pursuant to decedent's will.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			
	Aff.Mail			NA
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: SEF
Reviewed on: 3/18/2016
Updates:
Recommendation: SUBMITTED
File 18- Kennedy

Petition to Determine Succession to Real Property

DOD: 10/19/2015		STEVEN A. GAFFNEY (son) JEFFREY A. GAFFNEY (son) are petitioners 40 days since DOD No other proceedings I & A - \$135,000.00 Decedent died intestate Petitioners requests court determination that decedent's 100% interest in real property located at 91 W. Rall Avenue, Clovis CA pass to them pursuant to intestate succession as follows: Steven A. Gaffney (50%) Jeffrey A. Gaffney (50%)	NEEDS/PROBLEMS/COMMENTS: 1. The signatures of attorney and petitioners on the petition are not dated.	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input type="checkbox"/>	Aff.Mail			NA
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: SEF Reviewed on: 3/18/2016 Updates: Recommendation: File 19- Gaffney				

Petition for Appointment of Probate Conservator of the Person

See petition for details.			NEEDS/PROBLEMS/COMMENTS: Court Investigator advised rights on 3/4/16 Voting rights affected – need minute order. 1. Need Citation and proof of personal service of Citation with a copy of the petition at least 15 days prior to the hearing on the Proposed Conservatee per Probate Code §1824. 2. Need video receipt per Local Rule 7.15.8.A. 3. Need revised order on <u>current</u> Judicial Council form, which was revised 1/15/16.
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt	X	
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation	X	
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 3/18/16
			Updates:
			Recommendation:
			File 22- Gonzalez

Petitioner: Norma Holland (Pro per)

Petition for Appointment of Temporary Guardian of the Person

		TEMPORARY EXPIRES 3/24/2016 GENERAL HEARING 4/28/2016	NEEDS/PROBLEMS/COMMENTS: <u>Minute order dated 3/10/2016 states Christelle Holland (mother) must be noticed at least five days prior to 3/24/2016.</u> 1. Need proof of personal service of <i>Notice of Hearing</i> along with a copy of the Temporary Petition at least 5 court days prior to the hearing, or Consent and Waiver of Notice or Declaration of Due Diligence for: a. Chris-Telle Holland (mother) Note: Mom was served by mail, but Probate Code 2250 requires personal service.
Cont. from 031016			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg	See petition for details.	
✓	Aff.Mail		w/
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		X
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: SEF
			Reviewed on: 3/18/2016
			Updates:
			Recommendation:
			File 24- Markhem-Holland